

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF ALABAMA
SOUTHERN DISTRICT

GEORGE D. METZ II

2023 MAR 20 A 11: 14

Plaintiff,

vs.

J. DODSON, et al.,

Defendants.

TREY GRANGER, CLK Civil Case No. 1:22-CV=303=ECM-SMD
U.S. DISTRICT COURT
MIDDLE DISTRICT ALA

PLAINTIFFS' RESPONSE TO DEFENDANT'S OBJECTION

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Pursuant to 28 U.S.C. 636(b)(1) and Federal Rule Of Civil Procedure 72(b)(2), Plaintiff

George Metz replies to defendants objections to the recommendation of the Magistrate Judge.

OBJECTIONS

Defendants assert that there is no clear case law on being detained without reasonable suspicion, however i believe there is plenty including but not limited to Terry v Ohio.

We can see from the video and the defendants own mouth that he suspects us of photographing government buildings (my video 3:15) which is not illegal or suspicious that i know of.

The defendant had no reasonable suspicion to stop me, nor ask for my Identification.

Everything after that point was unlawful, at (7:40 in my video) the lady deputy reaffirms that the sheriff "detained me for filming on government property".

I have yet to be informed by the defense of what crime i was suspected of or any of the facts that lead the sheriff to reasonably suspect i was involved in any criminal activity.

It is clear that "an `inchoate and unparticularized suspicion' or `hunch' of criminal activity" is not enough to satisfy the minimum level of objectivity required. Wardlow, 528 U.S. at 124, 120 S.Ct. 673 (quoting Terry, 392 U.S. at 27, 88 S.Ct. 1868).

In these circumstances the precedent is the very right itself, I need no case law to say that recording the actions of my public employees to bring to the bar of public opinion is my right. We know its our right because it is the very essence of the right to free press

It would trouble me deeply to think the sheriff, who took an oath to defend it, would claim that he thought recording the government gives him reasonable suspicion of a crime, and not claim to know that its one of the oldest most well established rights we possess.

A clearly established right is one that is "sufficiently clear that every reasonable official would have understood that what he is doing violates that right." Reichle v. Howards, 566 U.S. ___, ___, 132 S.Ct. 2088, 2093, 182 L.Ed.2d 985 (2012) (internal quotation marks and alteration omitted).

Whats clearly defined here is that the sheriff, even after knowing that we were press still decided to detain us for "filming government buildings" which as explained is our right to do. No reasonable person would imagine that you could detain someone for them exercising their constitutionally protected right to free press. I was being detained as the lady deputy admits that "the sheriff detained me for filming government buildings", which admits the violation was driven by me exercising my right to free press.

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CERTIFICATE OF SERVICE

I hearby certify that on this the 17th day of March 2023, I have overnigheted copies of this response
to the Clerk of the Court and to the following:

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A handwritten signature in black ink, appearing to read "George D. Metz II", with a stylized flourish at the end.

/s/ George D. Metz II

Pro Se

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George metz
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